

REMARKS

This Response and Amendment is in response to the Office Action mailed on July 3, 2003. Reconsideration of this application is respectfully requested.

Drawing Objections

The Office Action objected to the drawings for failing to comply with 37 C.F.R. 1.84(p)(5) because they do not include reference numerals 120, 250, 320 and 330 for various structures mentioned in the description, and further because they include reference numerals 16120, 22330, 28320 and 38250 not mentioned in the description. To overcome these objections, Applicants submit herewith a proposed drawing correction (with changes in red ink) for the Examiner's approval. In Figure 1B, Applicant has changed reference numerals 16120, 22330, 28320 and 38250 to reference numerals 120, 330, 320 and 250, respectively, to conform to the reference numerals used in the description.

Claim Rejections

1. The Office Action rejected Claims 1-3, 6, 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,925,022 to Battiato et al. ("the '022 patent"). This rejection is respectfully traversed.

Claim 1, as amended, specifies, *inter alia*, a "stationary" base unit "attached" to a surface. The '022 patent discloses, on the other hand, a mobile base unit 34 indicated by wheels. As discussed on page 6 of the specification, the difference between the mobile

base unit of the '022 patent and the stationary base unit specified in Claim 1 is significant:

Although mobile base unit 270 provides substantial mobility to injection head unit 250 and enables placement thereof in the vicinity of the patient in many settings, lack of space in other settings can limit the mobility of both mobile base unit 270 and the medical personnel working around mobile base unit 270. Figures 2 through 4 illustrate an embodiment of the present invention in which connecting member 275 cooperates with a stationary base unit 400 to enable positioning of injection head unit 250 in the vicinity of a patient in, for example, MRI rooms of little space, without substantially obstructing the mobility of medical personnel. In one aspect, base unit 400 includes an attachment member or plate 410 that is attachable to, for example, a wall, a ceiling, a post or another surface (either generally flat or contoured) of a room via, for example, screws, adhesive or other attachment means or members.

Similarly, Claim 9 specifies, *inter alia*, "attaching" a base unit to a surface, removing the connecting member from a mobile floor stand and connecting the connecting member to the base unit. The claim term "attaching" has significance because it means "to fasten on or affix to; connect or join."<sup>1</sup> Applicants submit that the mobile base unit 34 in the '022 patent is not fastened or affixed to a surface, and there is no suggestion or teaching to so attach the mobile base unit 34 to a surface.

Based on the foregoing, Applicant submit that the '022 patent does not disclose each and every element or limitation of Claims 1-3, 6, 7 and 9, and that the rejection based thereon should be withdrawn.

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<sup>1</sup> The American Heritage Dictionary, Second College Edition (1991).

2. The Office Action rejected Claims 4, 5, 8 and 10 under 35 U.S.C. § 103(a) as being unpatentable over the '022 patent in view of U.S. Patent No. 5,494,036 to Uber, III et al. ("the Uber patent"). This rejection is respectfully traversed.

Like Claim 9, Claim 8 specifies, *inter alia*, "attaching" a base unit to a surface. As discussed above, the '022 patent discloses a wheeled, mobile base unit 34. Likewise, the Uber patent discloses only a wheeled, mobile base unit (see Figure 2 thereof). Therefore, the Uber patent does not provide the subject matter of Claim 8 (and Claims 1 and 9) that is not taught or suggested by the '022 patent.

Consequently, the proposed combination of the '022 and Uber patents necessarily does not render obvious the inventions of Claims 4, 5, 8 and 10, and Applicants submit that the rejection based thereon should be withdrawn.

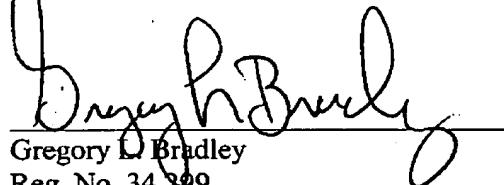
#### New Claims

Applicant submits that new Claims 11-20 are patentable for at least the reasons provided above with regard to Claims 1, 8 and 9. Further, Applicant submits that new Claims 11-20 are supported by at least the original claims, pages 5-7 of the specification and Figures 2-4 of the drawings. No new matter has been added.

Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the application is now in condition for allowance. Reconsideration of this application is respectfully requested.

Respectfully submitted,

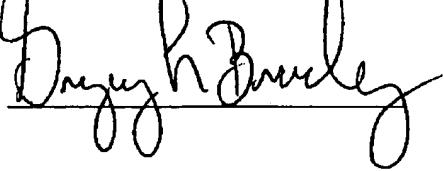
  
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. 703-872-9306) on February 25, 2004

Gregory L. Bradley

  
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